IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF NORTH CAROLINA CHARLOTTE DIVISION CIVIL ACTION NO. 3:15-CV-417-DCK

ANNE BACLAWSKI,)
Plaintiff,)
v.	ORDER
MOUNTAIN REAL ESTATE CAPITAL)
CROUP LLC; and PETER FIORETTI,)
Defendants.)
)

THIS MATTER IS BEFORE THE COURT regarding "Plaintiff Anne Baclawski's Refiled Motion To Compel" (Document No. 39) and "Peter Fioretti's Motion To Compel" (Document No. 49). The parties have consented to Magistrate Judge jurisdiction pursuant to 28 U.S.C. § 636(c), and immediate review is appropriate. The undersigned has reviewed the record of the case, studied the briefs on the pending motions, and held a telephone conference regarding the motions and the status of the case on January 18, 2017.

As an initial matter, it appears that the parties were able to resolve several issues in dispute prior to the telephone conference. The Court commends counsel for both sides for their efforts to narrow the issues.

It is the Court's understanding that Defendants have agreed to produce all documents responsive to Plaintiff's discovery requests on a rolling basis, to be completed by January 31, 2017. Moreover, Plaintiff has agreed to provide medical records requested by Defendants as soon as possible. In addition, the parties report that they are attempting to schedule remaining depositions

for dates on or about February 21-23, 2017, and will confirm such dates with the undersigned's

staff by January 20, 2017.

To the extent Defendant Peter Fioretti seeks access to Plaintiff's phone to inspect, copy,

test, sample and/or search her electronic mail messages, text messages, and GPS data, that

request/motion is denied. The parties' requests for fees and expenses related to their motions are

also denied.

Finally, the undersigned will re-set the remaining deadlines in this case. It is the

undersigned's view that this matter is positioned to be resolved by settlement, dispositive motion,

or trial with minimal delay. The parties shall endeavor to efficiently move this case toward

resolution, but if necessary, may seek to extend deadlines after proper consultation.

IT IS, THEREFORE, ORDERED that "Plaintiff Anne Baclawski's Re-filed Motion To

Compel" (Document No. 39) and "Peter Fioretti's Motion To Compel" (Document No. 49) are

GRANTED in part, and **DENIED** in part, as stated herein and as discussed during the telephone

conference on January 18, 2017.

IT IS FURTHER ORDERED that the following deadlines are set for the remainder of

this case: discovery completion – March 31, 2017; dispositive motions – April 21, 2017; and

trial term – **August 7-18, 2017**.

SO ORDERED.

Signed: January 18, 2017

David C. Keesler

United States Magistrate Judge

2